

REMARKS

The Examiner is thanked for the indication that claims 1-4 and 21 are allowed.

Claims 1-10, 14-17, and 19-25 remain pending in the instant application. Claims 5-10, 14-17, 19, 20, and 22-25 presently stand rejected. Claims 5, 8, and 16 are amended herein. Entry of this amendment and reconsideration of the pending claims are respectfully requested.

Claim Rejections – 35 U.S.C. § 103

Claims 5-10, 14-17, and 22-25 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,314,220 B1 to Mossberg et al. in view of U.S. Patent No. 6,765,908 to Chen.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. All words in a claim must be considered in judging the patentability of that claim against the prior art.” M.P.E.P. § 2143.03.

Independent Claim 5

Amended independent claim 5 now recites, in pertinent part, “an encoder coupled to apply a composite code to the optical data signal, the composite code having a first code **applied** to a second code.” Applicants respectfully submit that the combination of Mossberg and Chen fails to disclose, teach, or fairly suggest a first code applied to a second code.

In fact, referring to FIG. 1 of Mossberg, output beam 15e is coded with TC15 generated by fiber grating 19 and output beam 16e is coded with TC16 generated by fiber grating 20. Subsequently, output “beams 15e and 16e are combined by a beam combiner 22 and output into optical transport 11.” *Mossberg*, col. 3, line 67 through col. 4, line 1. Accordingly, Mossberg discloses combining two separately coded beams, **but fails to disclose applying TC16 to TC15**. To be sure, Mossberg clearly does not direct signal 15e coded with TC15 by fiber grating 19 to fiber grating 20 so that TC16 can be applied to TC15. Rather, the two separately coded optical beams 15e and 16e are combined onto optical transport 11, without ever applying TC16 and TC15 to each other. Mossberg simply does not disclose applying a first code to a second code, rather it

discloses combining two separately coded beams for group transport. Applicants respectfully and strenuously submit that there is a definite distinction between applying a first code to a second code of an individual signal, and combining two separately coded signals.

Independent Claim 23

Amended independent claim 23 now recites, in pertinent part, “the first-level code is **applied** to the second-level code of the output signal by the first station...” For the reasons discussed above in connection with claim 5, the cited prior art fails to disclose applying a first-level code to a second-level code.

Independent Claim 8

Independent claim 8 recites, in pertinent part, “the second destination to receive the signal from the first destination **after the signal is stripped of the first downstream address code by the first destination.**” The Examiner acknowledges that Mossberg “fails to teach the second code is to identify a second station that is coupled to receive a decoded output signal from the first station.” *Office Action* mailed July 28, 2004, page 3, lines 3-5. Instead, the Examiner cites the Abstract and columns 4-5 of Chen as teaching this missing element.

However, Chen simply discloses that intermediate switching nodes “receive the virtual circuit packets and use the virtual circuit identifier in each packet to determine routing for the virtual circuit packet.” *Chen*, Abstract. Chen simply discloses a technique for packet forwarding via inspection at each intermediate node of a virtual circuit identifier included in each packet. However, forwarding a packet based on an identifier does not teach or suggest receiving a signal at a second destination after a first destination **strips** the signal of a first code.

Independent Claim 16

Amended independent claim 16 now recites, in pertinent part

stripping the first temporal code from the optical signal at the first station; and

stripping the second temporal code from the optical signal at the second station after the first station strips off the first temporal code.

For the reasons discussed above in connection with independent claim 8, Applicants respectfully submit the prior art of record fails to teach or suggest all elements of claim 16.

Consequently, the combination of Mossberg and Chen fails to teach or suggest all elements of independent claims 5, 8, 16, and 23, as required under M.P.E.P. § 2143.03. Accordingly, Applicants request that the instant §103(a) rejections of claims 5, 8, 16, and 23 be withdrawn.

Dependent Claims

Dependent claims 6, 7, 9, 10, 14, 15, 17, 20, 22, 24, and 25 are nonobvious over the prior art of record for at least the same reasons as discussed above in connection with their respective independent claims, in addition to adding further limitations of their own. Accordingly, Applicants respectfully request that the instant § 103 rejections for claims 6, 7, 9, 10, 14, 15, 17, 20, 22, 24, and 25 be withdrawn.

CONCLUSION

In view of the foregoing amendments and remarks, Applicants believe the applicable rejections have been overcome and all claims remaining in the application are presently in condition for allowance. Accordingly, favorable consideration and a Notice of Allowance are earnestly solicited. The Examiner is invited to telephone the undersigned representative at (206) 292-8600 if the Examiner believes that an interview might be useful for any reason.

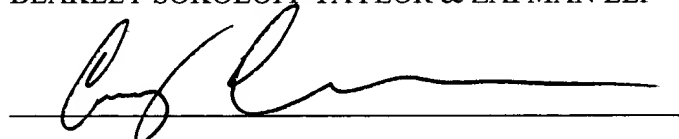
CHARGE DEPOSIT ACCOUNT

It is not believed that extensions of time are required beyond those that may otherwise be provided for in documents accompanying this paper. However, if additional extensions of time are necessary to prevent abandonment of this application, then such extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a). Any fees required therefore are hereby authorized to be charged to Deposit Account No. 02-2666. Please credit any overpayment to the same deposit account.

Respectfully submitted,

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

Date: Oct. 11, 2007

A handwritten signature in black ink, appearing to read 'Cory G. Claassen', is written over a horizontal line.

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